

## The American Bar Association

Health Care and Pharmaceuticals Committee  
Mergers & Acquisitions Committee

### The Federal Trade Commission's Challenge to Laboratory Corporation of America's Acquisition of Westcliff Medical Laboratories

June 8, 2011  
12:00-1:30 ET

**Panelists:**

Richard Cunningham, Mergers I, Bureau of Competition, Federal Trade Commission  
J. Robert Robertson, Partner, Hogan Lovells  
Leigh Oliver, Associate, Hogan Lovells  
Frederick Flyer, Senior Vice President, Compass Lexecon  
Lawrence Wu, Senior Vice President, NERA Economic Consulting

**Moderator:**


Karen Bokart, Consulting Counsel, Wiley Rein LLP

**Location:**

Wilson, Sonsini, Goodrich & Rosati  
1700 K Street, NW  
Fifth Floor  
Washington, DC 20006

The panelists, all of whom were involved for the plaintiff or the defense in the FTC's recent injunction case seeking to block Laboratory Corporation of America's acquisition of Westcliff Medical Laboratories, will discuss issues of market definition (including differences in the product and geographic markets alleged in this case versus the earlier *Quest* matter), entry, competitive effects, efficiencies, the failing firm defense, the influence of the 2010 Horizontal Merger Guidelines, and the interesting procedural stages of the case, which included a proceeding in bankruptcy court, a request for preliminary injunction, a motion to transfer venue, and dismissal of the complaint after the agency lost the PI proceeding. The panelists bring the perspectives of lawyers and economists who are intimately familiar with the matter.

To attend in person, please, RSVP to Linda North at [lnorth@wsgr.com](mailto:lnorth@wsgr.com).

 if you wish to dial in. You will receive the dial in number with your confirmation.

Recordings of this program will be posted on the Section website, and downloadable in an MP3 format. Please visit [http://www.americanbar.org/groups/antitrust\\_law.html](http://www.americanbar.org/groups/antitrust_law.html) after the program to listen/download the audio.

[Join the ABA](#) • [Join the Section of Antitrust Law](#)

---

**Featured Publication:**

[Mergers and Acquisitions: Understanding the Antitrust Issues, Third Edition](#)